

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

PCT

To:

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NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL PRELIMINARY
EXAMINATION REPORT
(PCT Rule 71.1)

Date of mailing
(day/month/year) 08.06.2004

Applicant's or agent's file reference
65961-0058

IMPORTANT NOTIFICATION

International application No.
PCT/US 03/07188

International filing date (day/month/year)
11.03.2003

Priority date (day/month/year)
11.03.2002

Applicant
INTIER AUTOMOTIVE INC. et al.

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.

4. REMINDER

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices) (Article 39(1)) (see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

The applicant's attention is drawn to Article 33(5), which provides that the criteria of novelty, inventive step and industrial applicability described in Article 33(2) to (4) merely serve the purposes of international preliminary examination and that "any Contracting State may apply additional or different criteria for the purposes of deciding whether, in that State, the claimed inventions is patentable or not" (see also Article 27(5)). Such additional criteria may relate, for example, to exemptions from patentability, requirements for enabling disclosure, clarity and support for the claims.

Name and mailing address of the international
preliminary examining authority:



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PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 65961-0058	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US 03/07188	International filing date (<i>day/month/year</i>) 11.03.2003	Priority date (<i>day/month/year</i>) 11.03.2002
International Patent Classification (IPC) or both national classification and IPC B60H1/00, B60H1/00		
Applicant INTIER AUTOMOTIVE INC. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 5 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:
- I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application

Date of submission of the demand 25.09.2003	Date of completion of this report 08.06.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Hillebrand, S Telephone No. +49 89 2399-2912 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. PCT/US 03/07188

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-3 as originally filed

Claims, Numbers

1, 2 filed with telefax on 08.12.2003

Drawings, Sheets

1/3-3/3 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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EXAMINATION REPORT**

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1,2
	No: Claims	
Inventive step (IS)	Yes: Claims	1,2
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1,2
	No: Claims	

2. Citations and explanations

see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/US03/07188

Reference is made to the following documents:

D1: US-A-6 315 354
D2: DE-A-35 10 336
D3: GB-A-2 302 404
D4: GB-A-2 332 887.

Re Item V

1. The application meets the requirements of Article 33(1) PCT.

D1 (see Fig. 1, 4, 9) discloses as closest prior art a conventional headliner ventilation system corresponding to that depicted in Fig. 1 of the application.

The subject-matter of claim 1 differs from this known headliner ventilation system in that a pillar air duct is integrally formed with a headliner air duct by use of a flexible hinge portion.

It is thus new in the sense of Article 33(2) PCT.

The problem to be solved by the invention may be considered as providing a headliner ventilation system which can be transported in a compact state and at the same time be mounted quicker and with enhanced reliability.

This problem is solved by replacing the joint between headliner air duct and pillar air duct by a flexible hinge portion integrally formed with both air ducts.

None of the cited documents D2 to D4 suggests to provide the flexible hinge portion at the location of a joint, but only immediately before a joint in order to facilitate the connection to a further element.

Since the subject-matter of claim 1 would therefore not be obtained from the available prior art in an obvious manner, it involves an inventive step in the sense of Article 33(3) PCT.

2. The subject-matter of dependent claim 2 which refers to further constructional

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details of the invention according to claim 1 meets also the requirements of Article 33(1) PCT.

3. A document reflecting the prior art described on page 1, second paragraph, as for instance D1, is not identified in the description (Rule 5.1(a)(ii) PCT).
Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art disclosed in the documents D2, D3 or D4 is not mentioned in the description, nor is **one** of these documents identified therein.

The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).

CLAIMS

What is claimed is:

1. A headliner ventilation system for a vehicle, comprising:
a headliner air duct, and
a pillar air duct integrally formed and in fluid communication with said headliner air duct by use of a flexible hinge portion for selectively positioning said headliner ventilation system between a compact state and an extended state.
3. A headliner ventilation system as claimed in claim 1, wherein said flexible hinge portion includes a plurality of accordion-like corrugations.

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